

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SENATE BILL 1118

AN ACT

AMENDING SECTIONS 28-661, 28-662 AND 28-667, ARIZONA REVISED STATUTES;
RELATING TO MOTOR VEHICLE ACCIDENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-661, Arizona Revised Statutes, is amended to
3 read:

4 28-661. Accidents involving death or personal injuries; failure
5 to stop; classification; driver license revocation

6 A. The driver of a vehicle involved in an accident resulting in injury
7 to or death of a person shall:

8 1. Immediately stop the vehicle at the scene of the accident or as
9 close to the accident scene as possible but shall immediately return to the
10 accident scene.

11 2. Remain at the scene of the accident until the driver has fulfilled
12 the requirements of section 28-663.

13 B. A driver who is involved in an accident resulting in death or
14 serious physical injury as defined in section 13-105 and who fails to stop or
15 to comply with the requirements of section 28-663 is guilty of a class ~~4~~ 3
16 felony, except that if a driver caused the accident the driver is guilty of a
17 class ~~3~~ 2 felony.

18 C. A driver who is involved in an accident resulting in an injury
19 other than death or serious physical injury as defined in section 13-105 and
20 who fails to stop or to comply with the requirements of section 28-663 is
21 guilty of a class ~~6~~ 5 felony.

22 D. The sentence imposed on a person for a conviction under this
23 section shall run consecutively to any sentence imposed on the person for
24 other convictions on any other charge related to the accident.

25 E. The department shall revoke the license or permit to drive and any
26 nonresident operating privilege of a person convicted pursuant to subsection
27 B of this section for five years.

28 F. The department shall revoke the license or permit to drive and any
29 nonresident operating privilege of a person convicted pursuant to subsection
30 C of this section for three years.

31 Sec. 2. Section 28-662, Arizona Revised Statutes, is amended to read:

32 28-662. Accidents involving damage to vehicle; failure to stop;
33 classification; driver license suspension

34 A. The driver of a vehicle involved in an accident resulting only in
35 damage to a vehicle that is driven or attended by a person shall:

36 1. Immediately stop the vehicle at the scene of the accident or as
37 close to the accident scene as possible but shall immediately return to the
38 accident scene.

39 2. Remain at the scene of the accident until the driver has fulfilled
40 the requirements of section 28-663.

41 3. Make the stop without obstructing traffic more than is necessary.

42 B. A person failing to stop or comply with this section is guilty of a
43 class ~~3~~ 2 misdemeanor.

1 C. A court may order the department to suspend the license or permit
2 to drive and any nonresident operating privilege of a person convicted under
3 this section for one year.

4 Sec. 3. Section 28-667, Arizona Revised Statutes, is amended to read:
5 28-667. Written accident report; definition

6 A. A law enforcement officer or public employee who, in the regular
7 course of duty, investigates a motor vehicle accident resulting in bodily
8 injury, death or damage to the property of any person ~~in excess of one~~
9 ~~thousand dollars~~ or the issuance of a citation shall complete a written
10 report of the accident as follows:

11 1. Either at the time of and at the scene of the accident or after the
12 accident by interviewing participants or witnesses.

13 2. Within twenty-four hours after completing the investigation.

14 B. Every law enforcement officer or public employee who, in the
15 regular course of duty, investigates a motor vehicle accident that results in
16 damage to the property of any person ~~in an amount of one thousand dollars or~~
17 ~~less~~, but that does not result in the issuance of a citation or bodily injury
18 or death, shall complete a portion of the written report of the accident.
19 The portion of the written report shall:

20 1. Be completed either at the time of and at the scene of the accident
21 or after the accident by interviewing participants or witnesses.

22 2. Be completed within twenty-four hours after completing the
23 investigation.

24 3. Include the following minimum information:

25 (a) The time, day, month and year of the accident.

26 (b) Information adequate to identify the location of the accident.

27 (c) Identifying information for all involved parties and witnesses,
28 including name, age, sex, address, telephone number, vehicle ownership and
29 registration and proof of insurance.

30 (d) A narrative description of the facts of the accident, a simple
31 diagram of the scene of the accident and the investigating officer's name,
32 agency and identification number.

33 C. The agency employing the officer or public employee:

34 1. Shall not allow a person to examine the accident report or any
35 related investigation report or a reproduction of the accident report or a
36 related investigation report if the request is for a commercial solicitation
37 purpose.

38 2. May require a person requesting the accident or related
39 investigative report to state under penalty of perjury that the report is not
40 examined or copied for a commercial solicitation purpose.

41 3. May retain the original report.

42 4. Shall maintain an electronic copy of the original report if the
43 agency elects not to retain the original report pursuant to paragraph 3 of
44 this subsection.

1 5. Shall immediately forward a copy of the report to the department
2 for its use.

3 D. The department may place notes, date stamps, identifying numbers,
4 marks or other information on the copies as needed, if they do not alter the
5 original information reported by the investigating officer or public
6 employee.

7 E. For the purposes of this section, "commercial solicitation purpose"
8 means a request for an accident report if there is neither:

9 1. A relationship between the person or the principal of the person
10 requesting the accident report and any party involved in the accident.

11 2. A reason for the person to request the report other than for the
12 purposes of soliciting a business or commercial relationship.